



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

August 4, 2014

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in dark ink, appearing to read "W. Fujioka", is written over the printed name and title.

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

PROTECTING SENSITIVE PERSONAL AND PUBLIC HEALTH INFORMATION, BOARD MEETING OF MAY 27, 2014, AGENDA ITEM NO. 12

This is in response to the May 27, 2014, Board Motion by Supervisor Ridley-Thomas, specifically to Directive No. 2, wherein the Board directed the Chief Executive Office (CEO) in coordination with County Counsel and the Chief Information Officer (CIO) to:

"Propose a plan requiring all County-contracted agencies that exchange Personally Identifiable Information (PII) and Protected Health Information (PHI) data with the County, to encrypt this sensitive information on their portable and workstation devices as a condition of their County contracts. The CEO, CIO, and County Counsel shall report back with a proposed plan in 60 days."

BACKGROUND

County departments administer over 7,500 active contracts providing a wide range of goods and services, which in some instances, require or necessitate contractors to handle and be in possession of PII and/or PHI. While information security is a strong focus within County departments, greater guidance and directives to contractors must be provided concerning handling and storage of County data.

A County department representative Task Force was established with members from CEO, County Counsel, CIO, and Departments of Internal Services, Mental Health, Health Services, Community and Senior Services, and Sheriff. Several of these departments have contractors providing goods and services where PII and/or PHI are exchanged.

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As a result, strategies addressing existing contracts, changes necessary to Board policy, and industry standard encryption standards were discussed. Task Force members agreed to describe PII data as defined in the California Civil Code 1798.29(g) and PHI as defined by Health Insurance Portability Accountability Act legislation. Additionally, Task Force members noted that requiring implementation of industry standard data encryption for protection of PII and/or PHI stored or transmitted by contractors might be a technical and financial challenge for some small businesses and community-based organizations.

The Task Force acknowledged County data must be stored on a variety of computing equipment, storage devices, and/or cloud-based storage services employed by contractors. Ultimately, it is recommended that data encryption be utilized by contractors for all PII and/or PHI stored and/or transmitted regardless of their methodology.

PLAN DEPLOYMENT FOR PROTECTION OF CONFIDENTIAL AND SENSITIVE DATA

The go-forward approach is to ensure protection of confidential and sensitive data being handled by contractors that will require amendments to Board policies (e.g., 5.040, 5.150), including information security requirements specific to encrypting PII and PHI, which the CEO, CIO, and County Counsel will identify and recommend.

Consistent with proposed new or revised Board policies, County Counsel and CIO will draft appropriate contract language for inclusion in, solicitations and all contracts, including existing contracts via amendment, requiring contractors to implement uniform industry standard data encryption requirements for storing and transmitting PII and PHI.

CEO will issue a Directive to County departments with guidance for inclusion of data encryption language in all County solicitations and contracts, including existing contracts via amendment, that require handling, transmission, or storage of confidential and sensitive PII or PHI.

NEXT STEPS

Task Force members will initiate the actions outlined above as next steps to protect confidential and sensitive data maintained by County contractors, and anticipate the above recommended actions will be accomplished within 90 days.

Each Supervisor
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If you have any questions or require further information on this matter, please contact Scott A. Wiles of my staff at (213) 893-1246 or swiles@ceo.lacounty.gov.

WTF:SHK:SAW:cg

c: Sheriff
Executive Office, Board of Supervisors
County Counsel
Chief Information Office
Community and Senior Services
Health Services
Internal Services
Mental Health